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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WINE SCOUT INTERNATIONAL,

Plaintiff,

vs.

PATRICIA CROWELL,

Defendant.

CASE NO. C 07 05930 JSW

**JOINT STIPULATION REGARDING
FED.R.CIV.P 26(f) DISCOVERY PLAN AND
[PROPOSED] ORDER**

[Electronic digital signatures permitted]

PATRICIA CROWELL, an individual

Counterclaimant,

vs.

WINE SCOUT INTERNATIONAL, a California
corporation,

Counterdefendant.

PATRICIA CROWELL, an individual

Third Party Plaintiff,

vs.

MARK STEVEN POPE, aka Mark S. Pope and aka
Mark Pope, individually and as he does business
under the trade name and style of Bounty Hunter,
Bounty Hunter Rare Wine, and/or Bounty Hunter
Rare Wine and Provisions,

Third Party Defendant.

CASE NO. 07 05930 JSW
JOINT STIPULATION RE FED.R.CIV.P.
26(f) DISCOVERY PLAN AND
[PROPOSED] ORDER

IT IS HEREBY STIPULATED AND AGREED by and among the parties, acting through their undersigned counsel, that, as of May 23, 2008 following an in person meeting in the Attorneys' Lounge of the Federal Building in San Francisco, California between counsel for all of the parties pursuant to the Order of the Court dated May 13, 2008, the parties have agreed pursuant to Fed.R.Civ.P. Rule 26(f) to the content of the following discovery plan.

1. Rule 26(f)(3)(A) Initial disclosures have been exchanged. Except as may be occasioned by supplemental disclosure, nothing further is contemplated at this time.

2. Rule 26(f)(3)(B) In light of a two-step hybrid process occurring in the very near future, the first phase of the parties' discovery will be limited as follows:

(i) The number of interrogatories will be seven per party (with Crowell to be able to propound discovery against both the plaintiff and third party defendant and plaintiff and third party defendant to be able to each propound discovery against Crowell), and they will be counted against the total number of Interrogatories permitted by Fed.R.Civ.P. Rule 33(a);

(ii) A set of Requests for Admission limited to twenty Requests per party (with Crowell to be able to propound discovery against both the plaintiff and third party defendant and plaintiff and third party defendant to be able to each propound discovery against Crowell); and

(iii) An additional Interrogatory per party (with Crowell to be able to propound discovery against both the plaintiff and third party defendant and plaintiff and third party defendant to be able to each propound discovery against Crowell), which will also be counted against the total number of Interrogatories permitted by Fed.R.Civ.P. Rule 33(a), to each party requesting information concerning each response to a Request for Admission that is not an unqualified admission as not being deemed to have discrete subparts as to each such Request for Admission that is not an unqualified admission.

If the two-step hybrid ADR process has had good faith participation by all parties and fails to result in a settlement, then it is likely that a second phase of broader discovery pursuant to the Fed.R.Civ.P. is warranted, but based upon narrowed issues that could presumably result from the two-step ADR process.

1 3. Rule 26(f)(3)(C) Discovery may proceed with respect to electronically stored
2 information as available.

3 4. Rule 26(f)(3)(D) On or before the date set forth for responses to discovery, as
4 set forth below, the parties will stipulate to a form of protective order to be entered as on order by
5 the Court.

6 5. Rule 26(f)(3)(E) The discovery prior to the two-step hybrid ADR process will
7 be mutually exchanged by E-Mail on June 9, 2008, and responses will be due on July 9, 2008 and
8 exchanged by E-Mail on that date.

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10 DATED: May 23, 2008

DICKENSON, PEATMAN & FOGARTY

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12 By: /s/ J. Scott Gerien
13 J. Scott Gerien,
14 Attorneys for Plaintiff,
Counterdefendant, and
Third Party Defendant

15 DATED: May 23, 2008

BUSINESS & TECHNOLOGY LAW GROUP

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17 By: /s/ Stephen N. Hollman
18 Stephen N. Hollman,
19 Attorneys for Defendant,
Counterclaimant, and
Third Party Plaintiff,

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21 **[PROPOSED] ORDER**

22 After consideration of the foregoing Stipulation arising from the Court's Order dated May
23 13, 2008, IT IS HEREBY ORDERED that the foregoing Discovery Plan is hereby adopted by the
24 Court and the parties are directed to fully comply with this Order.

25
26 DATED: May ____, 2008

27 Hon. Jeffrey S. White
28 United States District Court Judge

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